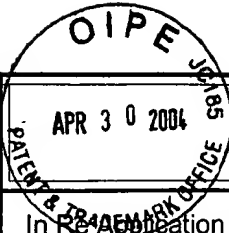


1654



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**15004Z**

In Re Application Of: **Alan P. Kozikowski, et al.**

Serial No.  
**09/246,307**

Filing Date  
**February 8, 1999**

Examiner  
**Gupta**

Group Art Unit  
**1654**

Title: **CYCLIC DIPEPTIDES AND AZETIDINONE COMPOUNDS AND THEIR USE IN TREATING CNS INJURY AND NEURODEGENERATIVE DISORDERS**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Status Inquiry**

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
  - ☐ Charge the amount of \_\_\_\_\_
  - ☒ Credit any overpayment.
  - ☒ Charge any additional fee required.

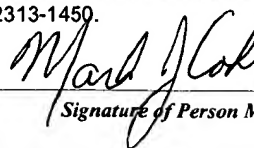
**19-1013/SSMP**

  
\_\_\_\_\_  
Signature

Dated: **April 28, 2004**

**Mark J. Cohen**  
**Registration No. 32,211**  
**Scully, Scott, Murphy & Presser**  
**400 Garden City Plaza**  
**Garden City, NY 11530**  
**(516) 742-4343**

I certify that this document and fee is being deposited on **4/28/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Signature of Person Mailing Correspondence

**Mark J. Cohen**

**Typed or Printed Name of Person Mailing Correspondence**

cc:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Alan P. Kozikowski, et al.

**Examiner:** Gupta

**Serial No.:** 09/246,307

**Art Unit:** 1654

**Filed:** February 8, 1999

**Docket:** 15004Z

**For:** CYCLIC DIPEPTIDES AND  
AZETIDINONE COMPOUNDS AND  
THEIR USE IN TREATING CNS  
INJURY AND NEURODEGENERATIVE  
DISORDERS

**Dated:** April 28, 2004

**Confirmation No.:** 6016

Commissioner for Patents  
Alexandria, VA 22313-1450

**STATUS INQUIRY**

Sir:

Applicants again inquire into the status of the above-identified case.

Applicants have filed a Status Letter dated January 16, 2004 relative to the above-identified case, and as of this date, have not received a Response thereto.

In the last communication received from the United States Patent and Trademark Office in this application, the United States Patent and Trademark Office had improperly abandoned the present application, alleging that applicants had not responded to the Office Action dated January 17, 2001. As explained in the Petition for Revival, applicants had

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450 on April 28, 2004.

**Dated:** April 28, 2004

  
Mark J. Cohen


responded to the Official Action and provided evidence supporting the fact that they responded to the Official Action. As explained in the Petition to Revive, the United States Patent and Trademark Office had mischaracterized the last Official Action as a final rejection, when in reality it was not a Final rejection. Consequently, applicants did not file a Notice of Appeal nor was one required. Thus, the abandonment by the United States Patent and Trademark Office was in error.

Applicants referred to the Petition to Revive the application in the previous status letter filed on January 16, 2004. Nevertheless, it is about three months since the filing thereof and applicants still have not received any communication in relation thereto. Moreover, it is almost a year since the submission of the Petition to Revive, and as of this date, applicants have not received any decision on the Petition.

This application was filed on February 8, 1999, and during the five years this application has been in prosecution, applicants have only received two Official Actions examining the claims on the merits. The delay in the examination of the above-identified application is not the fault of the applicants.

Applicants again inquire into the status of the above-identified case.

Respectfully submitted,

  
Mark J. Cohen  
Registration No. 32,211

SCULLY, SCOTT, MURPHY & PRESSER  
400 Garden City Plaza  
Garden City, NY 11530  
(516) 742-4343

MJC:lf